

OLD SOLDIERS' PENSION BILL.

SPEECH

OF

HON. MATTHIAS H. NICHOLS, OF OHIO.

Delivered in the House of Representatives, January 10, 1859.

The House being in Committee of the Whole on the reference of the President's Message, Mr. NICHOLS said:

I rise, Mr. Chairman, and propose doing, for the first time in my legislative history, that which my own judgment hardly approves. I believe that in six years' service in this body, I have never made any remarks on a question that was not immediately under consideration before the House, or before the Committee. But I am constrained to do so at the present juncture, in consequence of legislation on the part of this House within the past few weeks; legislation which I regard as extraordinary in its character, legislation which must have a pernicious influence on the future destinies of the country, and legislation which involves the highest interests of the people. My record was fully and clearly made against it; and inasmuch as the reasons for the vote of the House on that question were such as I, in my sober judgment, never conceived, and which, in my judgment, were against the candid sense of the House, I rise simply for the purpose of putting my own reasons on record for the course that I pursued. I need not say that I allude to what is called, in familiar language on this floor, the old soldiers' bill; in other words, the pension bill, introduced by the gentleman from Tennessee, [Mr. SAVAGE,] discussed at the last session of Congress, and brought up again at this, and passed—passed, sir, with but one hour's speech upon it, and a refusal on the part of the majority to give to those who were conscientiously opposed to it, a full opportunity for a discussion of its merits. I embrace this opportunity to put on record my protest against its passage, and the reasons, at length, for my course in regard to it.

Now, sir, this pension bill involves many questions of peculiar interest to the American people. In my judgment, it involves the independence of the citizen, the dignity of the people; and in its provisions I find legislation, which, in the end, is

to sink the individual character of the citizen and destroy in him that feature which declares his perfect independence. Under the present system, the citizens bear the burdens of the Government upon their shoulders, carrying them bravely and manfully. Under the system proposed to be inaugurated, the citizens who fight the battles of the country become a mere set of placemen, mere dependents on the gratuity of the country for support and existence. I start out with these two points, and invite the attention of the gentlemen here who have cast their votes for this measure, to its effects and consequences. I want their ear. I wish, sir, to know their objects, and how they can reconcile it with sound policy to vote as they have voted.

If my voice could be heard and to have any influence on the question, I would invoke the attention of those who are yet to act upon it before it becomes a law. I would ask them to pause, to deliberate, to study carefully, all the interests involved in it, before they inflict on this country such a curse as I believe this bill is to become.

What is it, sir? Who originated the system? In what interest and for what cause was the system inaugurated? Let us inquire. Gentlemen have said here that this is but a tribute of gratitude to those old soldiers. They have said that the war of the Revolution and the policy of those who served in that war, and who preceded us in this body, has dictated to us the course that we should pursue on this question, and that we were bound by that precedent. I had occasion, in response to the gentleman from Kentucky, [Mr. BURNETT,] to draw, the other day, a line of distinction between the two cases, which I believed to be just. I draw it again. I say that the war of the Revolution, and the action of our fathers founded upon that war, furnish no precedent to us for the passage of the bill that has passed this body. It stands out as a single, an isolated case; and there is no parallel to it in the legislation of the country, from that day to this. Why it

should be now brought up, and the principle applied to cases never contemplated by those who passed these old revolutionary acts, is a question best to be answered by the friends of the bill. That distinction, as I defined it before, was this: in the one case it was a people contending for their independence against a Power to which they owed allegiance. They were subject to none of the rules of civilized nations; to none of the laws of nations; to none of the laws of war; because, if unfortunate, they were rebels, and their punishment was the halter. But bravely they struggled; successfully they struggled. They achieved their independence, and they founded, as was supposed, a Government of equal rights; a Government which was designed to assert the independence of the individual man against classes, and his power to control the Government of which he was a member. But how was it in the war of 1812? Then you had a nation. Then you had a Government; a Government with capacity to execute all its contracts made in the prosecution of that war; a Government which assumed its debts for the purpose of carrying on that war, and which gave to its soldiers all that it ever stipulated to give them. It was a contract between the citizen and the Government. The terms held out by the Government were assented to by the citizen before he entered the service of the country. I speak of it now as a money affair. I speak of it in a moneyed sense in this connection; and I say, in the first place, that what the Government pledged itself to, it has carried out, and has redeemed fully its obligations in every particular.

But now let me speak of it in another sense. Let me throw money out of consideration. I have listened attentively to gentlemen invoking the patriotism of the country, and talking about its destinies and future prosperity. Let us look at it for a moment in that point of view. Do you tell me that, having a Government like this, a free Government, controlled by the people, with destinies before them such as the men who fought in the war of 1812 had before them, the patriotism that dictated their service was measured by the miserable consideration of dollars and cents? I say it never was; and, in my judgment, no grosser insult was ever offered to the brave men who fought, than the argument that puts their services on any other consideration than that of their patriotism and devotion to the freedom and best interests of the Government.

Why did we pass the pension bill? Let us take the arguments of its friends. Let us take the reasons assigned by the gentleman who introduced the bill. The bill, as originally introduced, provided pensions for certain men who had rendered services, graduating the amount of the pension to the rank and pay of the officers, and giving to the rank and file the pay per month they had while in service, if they served three months. For what reason were these pensions to be given? Why, said the distinguished gentleman who introduced the bill, it is to reward the old soldiers for the patriotism displayed by them, and for the injuries which they sustained in your service. I give his words, sir; I do not wish to misrepresent him:

"1. To reward the old soldier for the patriotism he has displayed and the injuries sustained in your service.

"2. By the honor conferred upon old age, to encourage an emulous spirit in the bosoms of our youth that will forever furnish citizen soldiers to meet the exigencies of war, and thus avoid that most to be dreaded of all necessities, a standing army.

"3. A distribution and expenditure of the public revenue which will, to a greater extent than any other plan, confer its incidental benefits upon all sections and all classes."

These, Mr. Chairman, are the three luminous reasons given for the passage of this bill. To the first I address my first inquiry. What is a pension? When Dr. Johnson constructed his dictionary, stung by certain insults in a notable case he gave a definition of the word "pensioner," which I do not mean to adopt, because gentlemen might think then that I was insulting the service of these old soldiers; and accordingly, as a friend of the old soldiers, I have referred to Webster. What is a pensioner? He is a dependant; and the gratuity which you confer upon the old soldier by this bill is to destroy his independence as a man; it strikes his individuality as a citizen; it characterizes him not as a sovereign, but as a dependant.

Mr. Chairman, I know not what the mass of these old soldiers want. I live among a numerous class of them, but I say this, that I think it is insulting to these men to make them pensioners on this Government, and to class them as miserable stipendiaries and dependants. "To reward him for patriotism;" that is the next reason. Why, sir, patriotism has its reward—it unquestionably has. When I look around this Hall, and see here generals and colonels and majors; when I turn to my venerable colleague, [Mr. GIDDINGS, when I see him here, and when I read in the newspapers which furnish the literature of political campaigns in my own State, I read that in distinguished friend was a wagoner or soldier in the last war; when I recollect that another gentleman here was at the head of a Kentucky regiment, and another was a major, in the war with Mexico, and that another distinguished gentleman headed his regiment at Buena Vista, and has received his reward in the friendship of the people and their consideration for his services, in his elevation to distinguished official and civil positions in the Government, some of them involving almost a long life of service; when I see all this, I ask you if there is any indisposition on the part of the people to reward the patriotism which these gentlemen have displayed? But this be an argument, I recollect one notable incident, and if the gentleman from Iowa [Mr. CURTIS] was in his seat, I would call his attention particularly to it. It was this: When the war broke out with Mexico, in 1846, we had a requisition on the State of Ohio for three regiments, but men enough offered their services to constitute seven or eight regiments. I believe some ten thousand men offered their services. Now, as the officer who had the mustering in of these soldiers, the gentleman from Iowa himself, was compelled to muster out of the service the spontaneous patriotism manifested by the State of Ohio. This, sir, teaches us this one fact, that the argument based upon the necessity of rewarding patriotism, is no argument at all. It is not founded

upon necessity or upon any exigency in God's world, because the patriotism of the country has always flooded our army with more men than the Government could employ.

But, Mr. Chairman, let us analyze these reasons a little further. We are told that we must repay them for the injuries sustained in our service. Now, sir, that is a curious argument. I say it with all respect. Turn to the volume of the pension and bounty land laws of this Government, collated and printed by the direction of Congress, [exhibiting one,] and what do you find? I will tell you what you will find; and it is an amusing commentary on the eloquent apostrophes and invocations to American Congressmen to pension the men who were "crippled," according to one gentleman from Tennessee, or who "stopped bullets at eight dollars a month," according to another. I say it is amusing. Why? Because, if a man was disabled in the last war, he is entitled to a pension now; and if he is not in the receipt of it, it is his own fault. If he was shot in battle, his widow and children were and still are beneficiaries under this law. But suppose he was not shot or injured in battle, what then? Why, if in the progress of his duty he contracted any disease which rendered him unfit to maintain himself thereafter, he is, on proving that fact, provided by law with a pension. Where, then, are your cripples? Where, then, the necessity of any further legislation, when all these classes are provided for?

Again, Mr. Chairman, you do not stop with the last war with Great Britain; you go down to the Mexican war, and you have twice provided extensions of the five years' half pay to the widows of those who were killed or who died in the service during that war; one of these laws is still in existence, and the beneficiaries are drawing pensions under it.

I ask those gentlemen who are responsible for the passage of this bill, to answer me the question fairly and candidly; is there in their knowledge, within the range of their investigation, have they arrived at the fact from any researches, that there is a Government on the face of God's earth that is so liberal to the men who have rendered service to the Government, as is the Government of the United States? I say, sir, that there is none, and I ask for no extension of the system. I am utterly opposed to it.

Mr. GIDDINGS. It is not my purpose to reply to my colleague, and therefore I wish at this time to notice one fact which I brought out in my remarks the other day; and that is, that by encouraging the militia service, we do away with the policy and necessity for a standing army, for which we now pay \$20,000,000 annually. I merely call my colleague's attention to this point, and ask him to state distinctly to the House whether he is desirous of maintaining a standing army in opposition to the militia of the country?

Mr. NICHOLS. I will answer the question, and I think I can do it very effectually. What is our volunteer system but a militia system? Now, sir, I ask my colleague, turning his attention to all the records of the Government and to all its

necessities, to point out to me one single instance in which, in forty-five years, the Government has needed the force placed at its disposal for protecting the frontiers of the country and carrying on the ordinary military duties of the country, when the standing army has not been found adequate to the wants of the Government in time of peace?

Mr. GIDDINGS. I would ask the gentleman what he wants a standing army of a thousand men for in this nation?

Mr. NICHOLS. Well, I will tell the gentleman why I want it. I suppose that a standing army of a thousand men is wanted for various purposes.

Mr. GIDDINGS. What are they?

Mr. NICHOLS. In the first place, for the protection of the Indian frontiers, and to be kept in service so that they can be had at a moment's warning when required, and when, if we waited until an ordinary draft could be made for volunteers and militia, the necessities of the service would have passed away.

Mr. GIDDINGS. In reply to my colleague, I desire him to state whether there is at this day half as much necessity for a standing army as there was in 1811-'12—when it consisted of only a few thousand men—when the militia of the Northwest defended the Northwestern frontiers, and when your standing army had surrendered to the British without firing a gun?

Mr. NICHOLS. There is a valuable suggestion there; and though neither my colleague nor myself are Yankees—

Mr. GIDDINGS. I am a Yankee.

Mr. NICHOLS. Yet I will pursue the Yankee policy, and ask him if the passage of the old soldiers' bill, for which he voted, would disband a single soldier of the regular army?

Mr. GIDDINGS. I reply in all sincerity that my whole support of that bill was for the purpose of impressing upon the House and the country the outrage of keeping up the present standing army of the United States, and to call attention to the fact that we are substituting a standing army for that defence of the country which our forefathers intended to devolve upon the militia of the nation.

Mr. NICHOLS. I do not believe that any gentleman who voted for the pension bill thought it would diminish the standing army one man.

Mr. GIDDINGS. I will say to the gentleman—

Mr. NICHOLS. Well, I object to injecting so many speeches into my own.

Mr. GIDDINGS. I merely wish to place the gentleman right. I wished to impress upon the House the extravagant expenditures of our standing army; while, at the same time, we violate the intention of those who founded our Government, that the country should be defended by its militia, its citizen soldiers.

Mr. NICHOLS. I will discuss that point in a moment, and I hope the gentleman will like it as well when I get through as he now seems to like his own position in regard to it.

I have heard before of this curtailing the standing army and diminishing the expenses of the Government; but the direction the Government

has taken the last six years has been a step backward rather than forward in the direction the gentleman desires; and the most lamentable step backward is the one they took in the passage of the old soldiers' bill. You talk about this pension bill as necessary to inculcate among our people a spirit of patriotism, and to provide against the contingency of a large standing army. What are the facts? From the time the war of 1812 was over, peace declared, and the men mustered out of service in 1814, there have been no wars worthy of the dignity or of that consideration until we came to the war with Mexico.

Now for the argument that we elevate the patriotism of the people, and provide against the contingency of a standing army. War was declared against Mexico. What followed? The men who mustered for that war had had no pensions. You had not, at that time, passed even a bounty land act, unless for those who had served under a regular enlistment in the army. But the moment the drum beat, and the standard was raised, such multitudes flocked around it that you had to turn and drive them back; you had to repress the spirit of patriotism, and keep men out of battle who were urging their way into it; you had to reject men from the service of the country who honestly sought to give that service to the country. Where was the regular army then? It formed hardly a nucleus of that organized band which carried your banner to the capital of Mexico. And, without offering any insult whatever to the regular branch of the service—for I have a high regard for it—I believe it is conceded by the best military men in the army that those bands of volunteers rendered services which the regular army never did; and it was said, by one of the most accomplished officers that engaged in that campaign, that in one of the bloodiest of its battles, when men almost shrank aghast at the work of carnage and death, our army was whipped, but that the volunteers did not know it, but fought on, and wrought out a victory in the face of terrible odds. Talk of pensioning men of that character! talk of going back and exhuming the dead relics of brave men, and bestowing a pension upon them! pensions necessary to cultivate a war spirit among our people! From the other end of the avenue comes to us the distant sound of war, growing out of the trespasses of our people upon the peace of other nations. Is it necessary to pension men who have rendered services to their country, in order that you may inflame some such spirit as that? Let me tell you, sir, and let me invoke the attention of gentlemen, that your history for the past five years, and not only that, but your history for the next ten years of the future, will compel you to stringent resolutions to repress the war spirit of the land, and to prevent our people from fighting without the sanction and authority of the General Government.

A gentleman before me suggests another point, and one which I intended to make in carrying out the history of the military spirit in connection with the wars of the Government. Your President declared that there was war in Utah not long ago. Well, it was not much of a war,

it is true; but the authorities of the country declared that Utah was in a state of rebellion, and that war existed. We came to Congress; and, in order to gratify the President, you provided, upon his recommendation, for raising two or three regiments. In carrying out that act, I want it remembered that, upon a careful computation and report made to those in charge of this Government, it appeared that there were nearly fifty thousand men anxious to go to Utah to fight. So you see our people are bent on fighting. They have a sort of spontaneous patriotism, which overflows whenever the drum beats, and that spirit needs no culture. You do not need to force it; it comes of itself; and the only measure of legislation necessary, is legislation to repress it, and confine its action within legitimate limits. That is my judgment about it. You had better cultivate, sir, conservative, instead of belligerent, propensities. God knows, Mr. Chairman, our people are willing to fight; but are we equally willing to respect the laws of nations, and to preserve peace and amicable relations with mankind?

But, Mr. Chairman, I have a high regard for the standard value of patriotism. In my judgment, the value of patriotism has been sadly underrated here. I was told by the gentleman from Kentucky, [Mr. BURNETT,] in response to my remarks, that if we did not pass this pension bill, the people would send to Congress those who would pass it. Very well; my constituents have sent a man in my place. But I wish to say this: that whenever I have to sacrifice my independence on any legislative floor to gratify outside clamor, involving a deliberate sacrifice of my judgment, then let the people whom I represent fill my seat with some one else. It is not worth holding one moment, when to hold it involves the loss of character. But, says the gentleman, the people demand it, and it must become a law. You must do it, said he, or they will place the Government in the hands of men who will carry out their will. Well, Mr. Chairman, I just ask you to carry back your mind to the events of a few years ago, and to see how strikingly this principle was illustrated. In 1850, you passed the bounty-land act. That was to be a gratuity, and a reward to these men for their services. Very well; they got that reward.

But, says the gentleman, they now demand pensions. True, they do; and who that was in service here on the 8th of January, 1855, fails to remember the convention of men who assembled on the Avenue that day? Thousands of them were here, and hundreds of them wore the badge of "Bladensburg." Many others, perhaps, were at Upper Sandusky, in my own State, where, although five thousand were there, but few fought, and, I believe, no particular service was done, because circumstances did not demand it. The assemblage was composed of militia men who had been draughted into the service, and had served for two or three months; and what did they do? They surrounded our Halls of national legislation, to go from there to a church in the city, and there they passed resolutions demanding a further grant of bounty lands—

demanding it. And they got it. Your legislators gave it to them. And you talk to me about *demanding* legislation. What next, Mr. Chairman? What have we seen occurring, a year ago, in a municipal contest in an adjoining city? We have seen a candidate for a distinguished position in that city invoking the populace to surround the halls of city legislation, and to demand bread at the public expense, and asserting the right of people, temporarily out of employment, to be fed at the public expense.

Mr. CLARK, of Missouri. I ask the gentleman whether he voted for any of the bills granting bounty lands.

Mr. NICHOLS. No, sir; and I never would. I voted against the bounty-land act of 1855, and I took the responsibility of my vote among the largest constituency of old soldiers that, perhaps, exists in the northwest of Ohio. And I will stand now on the course I then pursued. Let me hear nothing, however, about legislation that is "demanded." I stand here as a free American Representative. I understand well the tenure of my office. I am sent here to do what, under God and according to my conscience, I believe to be right, and in accordance with the Constitution of the United States, and with the laws which should govern me as a gentleman of honor. No demand upon me would affect my vote, or change it in favor of a proposition like this.

Now, sir, there are some things which I wish to say, in connection with this bill, to gentlemen who are generally alluded to as "gentlemen on the other side of the House." Who has the charge of this Government, in all its branches? You. Who are responsible for it? You. I am a "*colored Republican*," in a minority here. I have none of the responsibilities of legislation, except those which devolve upon me as an individual, not recognising, perhaps, the binding validity of a caucus arrangement of any party. You are a majority here. You are to carry on this Government, and to engineer it safely through all the financial shoals and difficulties that appear to be surrounding it. Are you prepared for the responsibility of the act that you have passed? I ask that question because very many votes in favor of this bill came from the other side of the House. I dare not allude to motives, Mr. Chairman; I do not wish to do it. I do not wish to be unparliamentary. I find, by the report of the Secretary of the Treasury, that last year you spent \$81,000,000. I recollect very distinctly that at the last session of Congress my colleague [Mr. SHERMAN, of Ohio] made a very able and earnest speech against the expenditures of this Government, and collated numerous ugly facts. Between you and me, Mr. Chairman, that speech was a very fatal document to the Democracy in the Northern elections this fall.

Mr. GROW. The \$81,000,000 does not include the Post Office deficiency.

Mr. NICHOLS. Well, I will assume that, in round numbers, the expenditures for the last year amounted to \$81,000,000. Good heavens, sir, is not that enough? And yet I am told that that does not include the deficiency for the Post Office Department for last year, which was sup-

plied in a supplemental appropriation bill, to the amount of near three million dollars. Now, I take up the report again, and I find that, according to the best figuring which the Secretary of the Treasury can make for the present fiscal year, there must be a deficiency of \$4,000,000 in the ordinary expenses of the Government.

Mr. SHERMAN, of Ohio. My colleague will find in that report that the Secretary of the Treasury includes, as a part of the ordinary revenues of the Government, some fifteen or sixteen million dollars, the proceeds of a loan; so that, if this sum be excluded, that deficiency will be some twenty million dollars.

Mr. NICHOLS. That is about what I was going to say. I thank the gentleman for his suggestion. I was going on to say that the deficiency in the Post Office Department was not included in the estimate; and that in that estimate is included fifteen or sixteen million dollars of the proceeds of Treasury notes and loans, which make the real deficiency about twenty million dollars.

Then, again, you have sent your expedition to Paraguay. What will be the expense of that expedition? Can any man tell? I do not know. Your Department cannot estimate it. Its cost will depend upon the contingencies that may arise there. Does the estimate cover the whole expense of your army? Let three hundred naked savages in Oregon, or Washington, commence with the tomahawk and scalping knife, carry on a three months' foray, as they have repeatedly within the last three years, and you will have a deficiency immediately in the army service of five or six million dollars. Has there been a time, within the last five years, that you have not had to appropriate for deficiencies in that branch of service, created on account of contracts for transportation, provisions, and otherwise? Let your Congressional records answer. Sir, they are fruitful in instruction. Will not the friends of this pension bill study them?

In the face of this state of the revenue, I ask the gentlemen on the other side, who are friends of the bill, where they are to get the money to pay these pensions? How are they going to raise the amount of these pensions? Where is the money to come from? What will the bill cost? That is the next subject for consideration. I have heard very many estimates of its cost. The gentleman from Tennessee who introduced it, read in his speech, delivered at the last session of Congress, the opinions of certain professional gentlemen, in which it is assumed that, according to the laws of mortality, there could not be over twenty thousand persons alive who would be beneficiaries under this bill. But that, on the part of these professors, was a "lame and impotent conclusion," for these gentlemen assume, in regard to the sparsely-settled population of the country, facts that apply to denser populations in older countries. The facilities which the Government has given to every man to acquire a home, occupy land, and engage in agricultural pursuits, all vary and change the general rules, as understood and practiced amongst professional men.

Now, to show how completely all the calculations of these men are set at fault, I will refer gentlemen to the report prepared by Mr. Waldo, Commissioner of Pensions, in 1855, which shows that under the forty-acre clause of the bounty-land act one hundred and twelve thousand warrants were issued, seventy thousand under the six months' or eighty-acre clause, and the number of the one-hundred-and-sixty-acre warrants is not reported. It will be a fair approximation to place the number of one-hundred-and-sixty-acre warrants at fifteen thousand. Yet, in the face of these figures, we come down to your pension bill; and assuming that twenty per cent. of the beneficiaries of that bounty-land act are dead, what is the result? Take the basis of your bill, where you bring in the six-weeks' men and pension them, and add them to the list, and you more than make up the deficiency in Mr. Waldo's report by deaths which have occurred since that time. What did the gentleman from Kentucky say the other day? "I am opposed to the three-months' basis," said he, "because it does not embrace enough men. I have men in my county who volunteered for six weeks, and who fought the battle of the Thames, and who are excluded from the benefits of this act." Certainly, sir; and I have in the district which I represent men who were drawn out by the proclamation of Governor Harrison in 1812 for the relief of Fort Wayne; and who, at the end of four weeks, were discharged with certificates that they were entitled, from the Treasury, to three months' full pay, on account of the extraordinary service they were called on to discharge.

Then take up this bill upon the basis of "every man engaged in battle." What is battle? There are men in Virginia who assembled and fired some long shots at a British man-of-war. Is that a battle? I suppose that Bladensburg was a battle. While it is true that there were some brave men in that fight, yet there were many who were not brave, and are the last men who should get either pensions or grants of bounty lands. In Massachusetts, in all the New England States, your history is redolent with examples of robberies of chicken-roosts and pig-pens, by the enemy, of long boats with four-pounders, muskets, and shot-guns, to beat off the invasion of British ships, boats, &c.; and although history does not chronicle many lives lost, yet were not all such "battles?"

Now, what is a battle? It was said here in debate, and I do not know how the fact is—I do not wish to make any invidious comparison or any invidious allusion—that down in Alabama some skirmishes with Indians in that State were magnified into a war, and that bounty lands were issued to those who were engaged in them. Why, sir, in cases of the suppression of civil dissension, where, to vindicate the laws of State sovereignty, men are called out to put down and bring to order those who were acting in defiance of them; in all such cases as these, where any shooting was done, *there was a battle*. I have made a calculation upon that basis. If you take the actual number of land warrants issued under the act of 1850—and recollect that that act

adopted the three-months' minimum; if you take that act, and deduct twenty per cent. from it for deaths occurring since its passage: if you add those who are included in this bill, and those who since have acquired the benefits of the act of 1850, I will tell gentlemen they will find that this pension bill will cost the Government \$12,500,000 per annum. It will require that to start it. Every gentleman can take the basis I have stated, and make the calculation for himself. For, sir, this law, as I understand it, carries the law back in its operation to the commencement of this Congress. If you get it passed, you will not get it in time, this session, to appropriate \$24,000,000 to carry it into execution. If it is passed into law, of course it must be carried out; and at the next session you will be bound to provide for three years' pension, which will involve the nice little sum of \$37,000,000 and over, to start this system. The records of this Government show just what this bill is. How, then, will you raise the money? How will you secure this revenue? You will come in at the end of a year or two, and try to repudiate this system. You will try to get rid of these old soldiers' claims by offering them lands or something else in commutation, to rid your Government of bankruptcy, as you scaled and avoided the just claims of the soldiers of the Revolution.

Mr. Chairman, no worse thing was ever done for the interests of your rising States in the Far West, than the grants to them of public lands for railroad and other purposes. The prolific, immoderate grants to them have been fruitful in evils on every hand. I stand here as the Representative of a State which has had as many lands for public improvement as any other; and I invoke my colleague, who with me represents the least-improved portions of that State, to answer me, whether he does not believe that her social condition, the interests of her people, of her finances, would not have been better subserved by refusing her any portion of the public land? What has been the result? True, some works of benefit, some works of improvement, some works which commend themselves to the good sense of the people, have been undertaken; but, as an offset you have side cuts, everywhere debts and corruptions, heavy taxes, to pay interest upon debts which sound policy reprehends, and a multitude of improvements which, after the money expended for their construction, have ever since been dead capital to the State, which has been indeed trying to get rid of a good many of them by a free gift to parties who would undertake their management and repairs.

Mr. FENTON. If the gentleman will permit me—

Mr. NICHOLS. I will yield the floor to the gentleman in a moment. Let me follow this out. What followed, sir? When you granted us the lands, acting under a false sense of values, under a speculative idea of improvements in prospective the State enhanced the price of her lands; she induced the General Government to do so too. Your maximums and minimums drove out the actual settler; and, sir, as a consequence, one of the fairest and most fertile portions of my State

mains unimproved. It remained a wilderness, most, for years, while the advancing tide of population from the East passed us by, and built empires west of us. We are shorn of our natural life, our natural prosperity, by these improvident grants of land. Take your bounty-land system, and what has it done? I have seen men who cared very little about the grants to them, and who said it would take more than the land was worth to go and locate their warrant. Where did these warrants go? Look to your new States and Territories, and there you will see your banker, your speculator, your moneyed men, who, having procured assignments of these warrants, have taken up the fairest portion of the national domain with thousands of these land warrants so assigned to them, and who thus are interfering with the prosperity and welfare of those communities. Make your pension system as improvident as you have made your bounty-land system, and you will inflict the deepest injury upon the country; and those who come after us will not remember the legislation of Congress to bless, but to curse it.

If your pensions are not gratuitous, what are they? Some gentlemen have called them debts. Are they debts? If so, why wait their payment until thousands of your debtors have paid the debt of nature, whom you cannot pay now, and whose children and widows have for years dragged out, as you say, a life of toil and penury? If a debt, then the debt was due when the service was rendered and the men discharged. Why did you not pay it then?

Sir, in the history of this Government, this is the first effort to quarter men upon the Treasury, whose conditions are those of health, strength, and prosperity. Some may be poor; but such as are poor from the effects of services rendered, are provided for by existing laws. If they are poor from other causes, and have received their pay and bounty-land, can you still give more? The people's money? Taking the substance of the mass, taxing the nation, to bestow upon a class gratuities, after you have first paid all due them on their contracts, and have also bestowed upon them bounties? No, sir; I sincerely trust in Heaven that this thing may stop with us; and that our independence may not be destroyed, and our substance eaten out by such a system as this.

APPENDIX.

The following is a statement of the probable number of beneficiaries, and the amount of money per annum involved in the bill of Mr. SAVAGE, as originally introduced. The table explains itself, and, it will be seen, is founded upon the three-months' basis, as originally reported:

TABLE D.—Showing the force employed in the war of 1812 alone, for a period of three months or upwards, and the amount of pensions involved by the provisions of the House bill.

	Officers.	Non-commissioned officers.	Privates.
Three months' service -	8,098	14,576	102,868
Six months' service -	4,118	7,516	52,132
Nine months' service -	190	334	2,096
Twelve months' service -	344	866	5,936
Two years' service -	862	1,532	31,028
	<u>13,612</u>	<u>24,924</u>	<u>194,060</u>

Amount of Pensions Involved.			
Field officers and captains -	3,490,	\$40 per month,	\$157,600
First lieutenants -	3,024,	30 " "	90,720
Second lieutenants -	3,024,	25 " "	75,600
Ensigns -	3,024,	20 " "	60,480
Surgeons -	300,	40 " "	12,000
Surgeon's mates -	300,	40 " "	12,000
Sergeants -	12,462,	11 " "	137,082
Corporals -	12,462,	10 " "	124,620
Privates -	194,060,	8 " "	1,552,480

Monthly amount for whole force - - - - - 2,222,582

	Monthly amount.	Annual amount.
Three-eighths of which would be -	\$832,468.25	\$10,001,619
If to this be added the amount of pension for navy and marine corps engaged in 1812, being five-sixths of force calculated for in table L -	89,640.00	1,075,680
	<u>923,108.25</u>	<u>11,077,299</u>

Or amount involved in granting pensions under the House bill for military and naval service in war of 1812, \$11,077,299 per annum.

To show how little reliance can be placed upon these estimates, and how much the actual condition of our people set mortality laws, and calculations founded upon them, at defiance, I append the results of previous estimates as verified by the actual experience of the Pension Office. The extract is taken from the report of the Secretary of the Interior:

"The whole number of army pensioners, under the various acts of Congress, is 10,723, requiring for their payment \$902,700.29.

"The whole number of navy pensioners is 892, and the aggregate amount of their annual payments is \$130,501.10." * * * "It appears that the total disbursement for pensions up to this date is about \$90,000,000. If to this sum we add the bounties in land, 62,739,362 acres, and estimate that land at \$1.25 per acre, the total amount granted for bounties and pensions will be \$168,424,202." * * * "During the ten years preceding the year 1815, the annual expenditure on account of invalid pensions averaged \$38,000. During the ten years succeeding 1815, the average was \$256,000 per annum. At the present time it is \$445,000 per annum. This constant increase can only be accounted for by the peculiar provisions of the laws under which the allowance is made. The disability may have wholly ceased, yet the Department has no authority, under existing laws, to withhold the pension of an invalid once granted.

"With a view of showing the impossibility of arriving in advance at any reasonable conception of the expenditures which will be required by a pension law, I will refer you to the history of the passage of two enactments, one of 1832, and the other of 1853, occurring more than twenty years apart.

"On the 7th of June, 1832, forty-nine years after the close of the revolutionary war, 'an act supplementary to the act for the relief of certain surviving officers and soldiers of the Revolution,' was passed. While that bill was under consideration, a committee of the House of Representatives went into an elaborate calculation, in order to ascertain the number of persons then living who were embraced by its provisions, and the annual amount of money it would require. The conclusion was, that the number of soldiers who would claim and be entitled to its benefits was 10,057, and that the annual expenditures would be \$907,608. On this calculation, the bill was passed. The number of claims filed under the law during the first year was about 25,000. The whole number filed under it exceeds 38,600. The whole number admitted was 33,414.

"The whole amount expended for pensions in the year 1831 was \$1,281,679.71. In 1853, it was \$5,100,203.97. The increase caused by the act of June 7, 1832, was therefore \$3,815,524.26—more than four times as much as the committee estimated the bill would require.

"It was further estimated by the committee that, at the end of seven years, fifty-five years after the war of the Revolution, there would be none surviving to receive its benefits. Now, if the whole number, 10,057, which it was supposed would receive pensions under this law, had lived out the seven years, it would have required \$6,253,226 to have met its entire requirements, according to the calculation of the committee. But this, of course, was not anticipated, inasmuch as they expected that the whole number of benefi-

claries would have passed away within the seven years. It is fair, then, to presume that one half of this amount, \$3,176,613, was all that was expected to be drawn from the Treasury under its provisions. Twenty-six years have elapsed since the passage of that law, and about two hundred soldiers are yet on the rolls, and the gross amount expended under the act is now over eighteen million dollars.

"On the passage of the act of February 3, 1853, granting pensions to the widows of revolutionary soldiers married subsequent to 1800, the estimate of the office was, that \$24,000 would be sufficient for the first year. That amount, however, was found wholly inadequate, and the additional sum of \$200,000 was asked for, and appropriated in the deficiency bill of the succeeding session for that purpose."

On the 26th day of February, A. D. 1853, the number of land warrants issued under the act of September 28, 1850, was:

Of 40 acre warrants, on the 3 months' basis	-	-	112,115
80 " " " " " "	-	-	58,380
160 acres not reported, but assumed	-	-	15,000

Total number at that time	-	-	186,095
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This number has since been increased. The pension bill provides a six weeks' basis, and gives a pension to every man actually engaged in battle. This will bring upon the list a number sufficiently large to make up for all deaths since 1855; and I append the bill, as it passed the House, that a glance may settle the number of beneficiaries under it, and the probable amount to be expended in getting the bill into operation:

"That each of the surviving officers, non-commissioned officers, musicians, and privates, who shall have served in the regular army, State troops, volunteers, or militia, for a term of sixty days or more, or who have been engaged in actual battle with the enemy, in the war declared by the United States against Great Britain, on the 18th day of June, 1812, be authorized to receive a pension from the United States, to commence from the first day of the present Congress, and to continue during his natural life.

"SEC. 2. *And be it further enacted*, That each of the officers, non-commissioned officers, musicians, and privates, who have served in the regular army, State troops, volunteers, or militia, of any State, or Territory, for the space of sixty days or more, against any of the Indian tribes during or preceding the war of 1812 with Great Britain, or who were engaged in any battle fought by the United States against any Indian tribe during the aforesaid war with Great Britain, shall be entitled to all the benefits of this act.

"SEC. 3. *And be it further enacted*, That if any of the officers, non-commissioned officers, musicians, or privates, have died, or shall hereafter die, leaving a widow, such widow shall be entitled to receive the same pension to which her husband would have been entitled under this act, for and during her natural life.

"SEC. 4. *And be it further enacted*, That the pay allowed by this act shall, under the direction of the Secretary of the Interior, be paid to such officer, non-commissioned officer, musician, private, or his widow, or their authorized attorney, at such times and places as the Secretary of the Interior may direct; and that no officer, non-commissioned officer, musician, private, or his widow, shall receive the same until he furnish the said Secretary of the Interior with satisfactory evidence that he is entitled to the same, in accordance with the provisions of this act; and that the pay hereby allowed shall not be in any way transferable, or liable to attachments, levy, or seizure, by any legal process whatever, but shall go unincumbered to the possession of the officer, non-commissioned officer, musician, private, or his widow.

"SEC. 5. *And be it further enacted*, That the officers, non-commissioned officers, and marines, who served for the time of sixty days in the naval service, or were engaged in battle with the enemy, during the war with Great Britain aforesaid, and their widows, shall be entitled to the benefits of this act, in the same manner as is provided for the officers and soldiers of the army of the war of 1812.

"SEC. 6. *And be it further enacted*, That the pension provided by this act shall in no case exceed the full amount of ninety-six dollars per year, and shall be graduated accord-

ing to the length of service, as follows: For twelve months' service, or more, ninety-six dollars; for six months' service, but less than twelve months, seventy-five dollars; for sixty days' service, but less than six months, fifty dollars: *Provided*, That the survivor, or surviving widow of an officer, non-commissioned officer, musician, or private, who participated in actual battle, in said war, shall be entitled to the maximum pension given by this act."

The annexed table shows the amount of pensions paid by the Government up to this date, and the States in which they have been paid, with the classes of pensioners:

	Army pensioners.	Navy pensioners.
Arkansas	\$113,765.03	No agency.
Alabama	535,341.40	No agency.
Connecticut	5,081,381.13	\$103,057.58
California	18,821.65	163.00
District of Columbia	819,504.09	1,632,855.92
Delaware	179,839.53	12,321.85
Florida	158,702.57	16,791.52
Georgia	1,533,389.73	18,744.35
Indiana	1,210,041.92	No agency.
Illinois	894,357.64	No agency.
Iowa	72,123.15	No agency.
Kentucky	3,981,297.52	37,418.55
Louisiana	266,218.92	51,328.18
Maine	4,930,322.24	99,242.95
Massachusetts	7,182,099.92	707,457.60
Maryland	1,453,105.43	425,077.31
Mississippi	143,755.98	No agency.
Missouri	530,112.94	14,537.21
Michigan	523,525.66	174.37
New Hampshire	3,595,423.25	135,627.61
New York	16,809,795.03	1,071,312.61
New Jersey	2,039,678.23	28,141.58
North Carolina	1,974,596.40	2,624.80
Ohio	2,913,009.35	19,702.46
Oregon Territory	8,072.19	No agency.
Pennsylvania	6,475,920.59	584,319.99
Rhode Island	1,737,651.45	149,637.18
South Carolina	1,179,071.03	73,710.55
Tennessee	2,876,857.66	No agency.
Vermont	4,605,557.66	No agency.
Virginia	6,747,076.04	291,492.30
Wisconsin	117,312.96	No agency.
Unknown	1,128,303.74	—
	\$1,499,241.20	4,876,346.38

The aggregate amount was paid to the following classes:

To army invalids	\$13,531,997.12
To officers and soldiers of the revolutionary war	45,924,532.09
To the widows of deceased officers and soldiers of the Revolutionary war	17,465,146.14
To widows and orphans, (five years' half pay)	3,367,218.56
At the Treasury, but not easily apportionable among the several classes	1,128,303.74
To invalids and widows and orphans of the navy	4,467,877.81
To privateer invalids	154,333.10
To widows and orphans of privateer invalids	254,635.94

The following extract from the last report of the Secretary of the Interior shows the operation of the bounty-land system:

"During the year ending the 30th September last, 12,815 bounty-land warrants were issued, requiring 2,034,420 acres of land to satisfy them. This, added to the quantity shown by my report of last year, makes the whole amount of public lands granted for military services up to September 30, 1858, 62,739,362 acres. Under the acts of 1847 and 1855, there are about 74,000 bounty-land claims pending in the office, originally suspended on account of informality, irregularity, or defective proof. Many of these cases are called up, from time to time, by the parties interested, for re-examination, requiring a large amount of labor and patient investigation in the disposition of them."